

PROFESSIONAL LICENSURE DIVISION[645]

Notice of Intended Action

Proposing rule making related to licensure and providing an opportunity for public comment

The Board of Mortuary Science hereby proposes to amend Chapter 101, “Licensure of Funeral Directors, Funeral Establishments, and Cremation Establishments,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 147.44.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code chapters 147 and 156.

Purpose and Summary

Iowa Code section 17A.7 requires each state agency to conduct a comprehensive review of all of the agency’s rules to eliminate outdated and redundant rules. These proposed amendments are made to update the Board’s rules to align with current Professional Licensure Division practices. The proposed amendments remove the notarization requirement for foreign-trained funeral directors and update the process for verifying endorsement applications.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

A waiver provision is not included in this rule making because all administrative rules of the professional licensure boards in the Division are subject to the waiver provisions accorded under 645—Chapter 18.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on December 6, 2022. Comments should be directed to:

Susan Reynolds
Professional Licensure Division
Iowa Department of Public Health
Lucas State Office Building
321 East 12th Street
Des Moines, Iowa 50319
Phone: 515.281.5234
Fax: 515.281.3121
Email: susan.reynolds@idph.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 7, 2022
8:30 to 9 a.m.

Via video/conference call
Meeting link: us02web.zoom.us, click “join”
Meeting ID: 898 2267 3476
Passcode: 507434
Via Telephone: 1.312.626.6799

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making. In an effort to ensure accuracy in memorializing a person’s comments, a person may provide written comments in addition to or in lieu of oral comments at the hearing.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Board and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend paragraph **101.2(3)“b”** as follows:

b. Provide a ~~notarized~~ copy of the certificate or diploma awarded to the applicant from a mortuary science program in the country in which the applicant was educated.

ITEM 2. Amend subrule 101.6(3), introductory paragraph, as follows:

101.6(3) The applicant shall provide verification of ~~license(s)~~ license from ~~every~~ the jurisdiction in which the applicant has most recently been licensed, sent directly from the ~~jurisdiction(s)~~ jurisdiction to the board office. The applicant must also disclose any public or pending complaints against the applicant in any other jurisdiction. Web-based verification may be substituted for verification direct from the jurisdiction’s board office if the verification provides: